

City of Salem, Massachusetts
Office of the City Clerk

Ilene Simons
City Clerk



Room 1
City Hall

March 26, 2024

MEETING NOTICE AND AGENDA

The Salem City Council will hold its regular meeting in-person on Thursday, March 28, 2024, at 7:00 P.M. in the Council Chambers, 93 Washington Street, 2nd floor for the purpose of discussing any and all business.

In-Person shall be the primary method of public access to such meetings. A secondary method of public access may be provided, if technologically feasible through Salem Access Television, and/or remotely through Zoom. See below for remote access and SATV information.

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/84416701200?pwd=em9jQlAxMDIvL2tsNWVNTDIVQ1Nodz09>
Password: 988759

Go to the website link <https://zoom.us/join>. Enter **Webinar ID: 844 1670 1200** followed by the meeting password noted above in necessary.

Or by Telephone: Participants can dial a toll-free number at 877-853-5257 (Toll Free) or 888- 475-4499 (Toll Free). When prompted, enter **Webinar ID: 844 1670 1200** follow the instructions to join the meeting. For those dialing in, you may press *9 to raise your hand to speak if signed up for public testimony or to participate in the public hearing portion of the agenda (if applicable).

The public may also watch the meeting live on SATV on Channel 22.

Please note that it is the intent of the City Council that its meetings be available to the public in person, remotely and through Salem Access Television.

Very truly yours,

ATTEST:

ILENE SIMONS
CITY CLERK

“When in person, individuals requiring auxiliary aids and services for effective communication such as sign language interpreter, an assistive listening device, or print material in digital format or a reasonable modification in programs, services, policies, or activities, may contact the City of Salem ADA Coordinator at (978-619-5630) as soon as possible and no less than 2 business days before the meeting, program, or event.” Assistive Listening System is available for City Council Meetings. Those interested in utilizing these devices for meetings at 93 Washington Street may contact the City Clerk’s Office at 978-745-9595 ext. 41200 or isimons@salem.com.

“Know Your Rights Under the Open Meeting Law, M.G.L. c. 30A ss. 18-25, and

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City Ordinance Sections 2-2028 through 2-2033.”

A Regular Meeting of the City Council was held in-person on Thursday, March 28, 2024, at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on March 26, 2024, at 3:16 P.M. This meeting is being recorded and is live on S.A.T.V. and Zoom unless technological issues interrupt the transmission.

Councillors absent:

Council President Hapworth presided.

Councillor moved to dispense with the reading of the record of the previous meeting. **VOTED**

President Hapworth requested that everyone please rise to recite the Pledge of Allegiance.

Salem City Council Land Acknowledgment

The Salem City Council honors that this land is Naumkeag, or fishing place, where generations of Naumkeag people from the Pawtucket band of the Massachusetts Tribe lived and passed through for centuries.

We acknowledge that this is unceded Indigenous land and also acknowledge the Massachusetts Tribe, who continue to honor and hold this land into the present.

Salem’s City Council is committed to having ongoing meaningful dialogue with the indigenous peoples who have presence in Salem in order to dismantle the legacies of oppression and inequities that persist today.

PUBLIC TESTIMONY

Public Testimony not to exceed 15 minutes. Public Testimony is not a public hearing or question and answer period. Sign up must occur 30 minutes prior to meeting. The President shall, depending on the number of speakers, set a time limit, not to exceed three minutes, which each individual presenting testimony must abide.

How to Sign Up:

You may participate in Public Testimony in-person or remotely, if technologically feasible by either of the following two methods:

1. On-line form by using the link below:

<https://records.salem.com/Forms/PublicMeetingSpeaker>

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This form will be available beginning 6:30 P.M. on the Tuesday before the meeting and remains open until 6:30 P.M. on the day of the Council Meeting. This form requests information such as your name, address, and whether you will attend in person or remotely. If the on-line form is not available due to technology issues, you must use option #2. In addition, if you plan have signed up to speak on zoom, we will allow you to speak as long as it is technologically feasible.

2. You may also sign the roster in the City Clerk's Office, no later than 6:30 P.M. on the date of the meeting.

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HEARINGS

Held from February 12, 2024, the order from Centerline Communications for telecommunication attachments in the public right of way located at 252R Bride Street

APPEARING IN FAVOR:

APPEARING IN OPPOSITION:

Action Contemplated

Councillor Stott	Moved to close the Public Hearing	Voted
Councillor Stott	Moved Granted	Voted

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APPOINTMENTS AND REAPPOINTMENTS

Held from the last meeting the Mayor's appointment of Stephen Larrick of 17 Carlton St. to serve on the Zoning Board of Appeals with a term to expire September 14, 2024.

Action Contemplated

Councillor Jeryzlo	Confirmation by RCV	Yeas	Nays	Abs
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Held from the last meeting the Mayor's appointments of Emmylou Manwill of 15 Heritage Dr. to serve on the Bicycling and Shared Path Advisory Committee with a term to expire September 14, 2026.

Action Contemplated

Councillor Harvey	Confirmation by RCV	Yeas	Nays	Abs
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The Mayor's appointment of Justin Bates, 313 Essex Street to serve on the Conservation Commission for a term to expire on March 28, 2027

Councillor Watson-Felt	Suspension of the Rules	Councillor	Object
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Action Contemplated

Councillor Watson-Felt	Held Under the Rules	Voted
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Mayor's appointment of John Newhall of 131 Federal Street to the Cultural Council with a term to expire on March 28, 2027. (Informational only)

Action Contemplated

Councillor Watson-Felt	Moved Received and Filed	Voted
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COMMUNICATIONS FROM THE MAYOR

ORDERED: That the sum of Sixty-Nine Thousand, Three Hundred Ninety-Two Dollars and Seventy-Nine Cents (\$69,392.79) be approved within the "Retirement Stabilization Fund-Vacation/Sick Leave Buyback" account (83113-5146) to be expended for the contractual buyback(s) listed below in accordance with the recommendation of His Honor the Mayor.

Name	Department	Amount
Peter Digiacomo	Fire Department	\$69,392.79
		\$69,392.79

Councillor Merkl	Sus. of the Rules	Councillor	Obj.
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Action Contemplated

Councillor Merkl	Refer to the Comm. on Admin. & Finance	Voted
	OR	
	Moved Adoption	Voted

ORDERED: That the sum of Thirty Thousand Dollars (\$30,000.00) is hereby appropriated within the "Capital Outlay" account (20002410-5846HO) to conduct a feasibility study of renovations to the Fire Prevention building at 29 Fort Avenue, in accordance with the recommendation of His Honor the Mayor.

Councillor Merkl	Sus. of the Rules	Councillor	Obj.
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Action Contemplated

Councillor Merkl	Refer to the Comm. on Admin. & Finance	Voted
	OR	
	Moved Adoption	Voted

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MAYOR'S INFORMATIONAL PAGE

NONE

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MOTIONS, ORDERS AND RESOLUTIONS

In the year Two Thousand and Twenty-Four

An Ordinance Relative to Traffic

Be it ordained by the City Council of the City of Salem, as follows:

Section 1. Section 51 of Article V be amended by inserting the following:

Lafayette Street – Parking Prohibited on Certain Streets – Westerly side, from intersection with Raymond Avenue, extending northward for forty (40) feet.

Section 2. This ordinance shall take effect as provided by City Charter.

Action Contemplated

Councillor Varela

Moved Adoption for First Passage

Voted

Resolution: Reaffirming the City of Salem’s Commitment to Non-Discrimination on the Basis of Age

WHEREAS Ten years ago in 2014 the City of Salem adopted an ordinance against discrimination which included Age Discrimination, and

WHEREAS The Salem for All Ages Initiative is in the midst of a campaign to defeat Age Discrimination in the greater Salem community, and

WHEREAS the City of Salem accepts that Ageism is a form of discrimination based solely on chronological age or, presumed age and no other criteria and,

WHEREAS unlike other cultures, in American culture, the assumptions and perceptions of our elders is that they are less competent, less vigorous, less interesting, and less useful than those of a younger age, and

WHEREAS in America, our elder’s knowledge, experiences, volunteer work, civic engagement, economic contributions and language are not popular or fashionable, but instead condescended, ignored, or patronized, and

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MOTIONS, ORDERS AND RESOLUTIONS

ORDERED: That a Veteran’s Square be named Walsh Square after U.S. Army Private First Class, William Arthur Walsh who was killed in action on November 26, 1943. And that the square be located at the corner of Orne and Larchmont Streets.

Action Contemplated

Councillor Stott

Moved Adopted

Voted

RESOLUTION DEBT FREE FUTURE

WHEREAS, student debt and public college inaccessibility disproportionately affects minority groups, and Salem State University will soon become a Hispanic Serving Institution (HSI) and Minority Serving Institution (MSI); and

WHEREAS, Salem State University is known for being a civically engaged campus, and influential community engaged leaders including Senator Joan Lovely, Lieutenant Governor Kim Driscoll, Representative Manny Cruz, District Attorney Paul Tucker, Healing Abuse Working for Change (HAWK) secretary Lauren Hubacheck and many others have graduated from or work at Salem State University; and

WHEREAS, the Salem State University class of 2023 with 924 students graduated with a total debt burden of \$3.2 million; and

WHEREAS, higher education is an important pathway to economic mobility, and public university graduates are much more likely to remain in Massachusetts after graduation, starting families, contributing to the economy, and forming the fabric of our local communities; and

WHEREAS, the need for public education should not end at high school, but offer educational opportunity through a Bachelor's Degree; and

WHEREAS, the Fair Share Amendment has been passed through the legislature, ensuring new funding for public education and transportation; and

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MOTIONS, ORDERS AND RESOLUTIONS

WHEREAS, the Debt Free Future Act eliminates tuition and fees in all Massachusetts public colleges, making a college education accessible to a greater percentage of the population;

THEREFORE, Be it Resolved that the Salem City Council strongly urges that the Massachusetts legislature promptly vote The Debt Free Future Act (H.1265/S.823) favorably out of committee and pass it into law; and

THEREFORE, Be it Further Resolved that the Clerk of the City sends a copy of this resolution to the chairs and members of the Joint Committee on Higher Education, the Joint Committee on Ways and Means, the Senate President, the Speaker of the Massachusetts House of Representatives, Senator Joan Lovely, Representative Manny Cruz, and the Governor Maura Healey.

Action Contemplated

Councillor Davis

Moved Adoption by RCV

Yea Nay Abs

RESOLUTION – CHERISH ACT

WHEREAS, Salem State University is the third largest employer in Salem, acting as an anchor institution that is the foundation of the regional economy and is essential to drive economic growth and provide necessary services; and

WHEREAS, state funding for public higher education has decreased over 30% since 2001, and the chronic underfunding of public higher education drives up fees and costs for students, pushing a college education out of reach for many students and affecting the town community; and

WHEREAS, tens of thousands of students in Massachusetts graduate from high school each year but do not enroll in college, and 700,000 adults in our Commonwealth have earned some college credits but have not completed their degrees; and

WHEREAS, investing in our public higher education institutions means investing in the students, faculty and staff who are woven into our community and into our local economy.

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MOTIONS, ORDERS AND RESOLUTIONS

WHEREAS, The Cherish Act commits the resources to a strong and healthy public higher education system by funding proper support for staff and faculty, investing state funds in infrastructure projects, and lessening the student debt burden;

THEREFORE, Be it Resolved that the Salem City Council strongly urges that the Massachusetts legislature promptly vote The Cherish Act (H.1260/S.816) favorably out of committee and pass it into law; and

THEREFORE, Be it Further Resolved that the Clerk of the City sends a copy of this resolution to the Joint Committee on Higher Education, the Joint Committee on Ways and Means, the Senate President, the Speaker of the Massachusetts House of Representatives, Senator Joan Lovely, Representative Manny Cruz, and the Governor Maura Healey.

Action Contemplated

Councillor Davis

Moved Adoption by RCV

Yea Nay Abs

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COMMITTEE REPORTS

Councillor Merkl offered the following report for the Committee on Administration and Finance co-posted with the Committee of the Whole to whom it was referred the matter of Authorizing the Mayor to enter into an Intergovernmental Agreement with the City of Beverly and the Town of Danvers for the purpose of utilizing a \$2.3 Million grant from the Federal Transit Authority to establish a two-year pilot program to implement and operate new regional node-based and flexible stop route transit service for residents of Salem, Beverly and Danvers.

Has considered said matter and would recommend: (Action unknown, meeting held after Agenda Deadline)

Accept the Report Voted

Adopt the Recommendation Voted

Councillor Morsillo offered the following report for the Committee on Ordinances, Licenses and Legal Affairs co-posted with the Committee of the Whole to whom was referred the matter of amending an Ordinance relative to Short Term Rentals.

Has considered said matter and would recommend: (Action unknown, meeting held after Agenda Deadline)

Accept the Report Voted

Adopt the Recommendation Voted

Councillor Morsillo offered the following report for the Committee on Ordinances, Licenses and Legal Affairs co-posted with the Committee of the Whole to whom was referred the matter of amending an Ordinance relative to Certificate of Fitness.

Has considered said matter and would recommend: (Action unknown, meeting held after Agenda Deadline)

Accept the Report Voted

Adopt the Recommendation Voted

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COMMITTEE REPORTS

Councillor Morsillo offered the following report for the Committee on Ordinances, Licenses and Legal Affairs co-posted with the Committee of the Whole to whom was referred the matter of The City of Salem accepting the MGL Ch. 40U, authorizing the City to impose and collect fines for a variety of code and ordinance violations using a non-judicial, administrative process.

Has considered said matter and would recommend: (Action unknown, meeting held after Agenda Deadline)

Accept the Report	Voted
Adopt the Recommendation	Voted

Councillor Cohen offered the following report for the Committee on Public Health Safety Environment co-posted with the Committee of the Whole to whom was referred the matter of Ordinance to amend Ch. 24 by adding a new section relative to Camping

Has considered said matter and would recommend (Action unknown, meeting held after agenda deadline)

Accept the Report	Voted
Adopt the Recommendation	Voted

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COMMUNICATIONS FROM CITY OFFICIALS

The City Solicitor submitted the following Order relative to Outdoor Dining.

Ordered: That in accordance with City Ordinance Chapter 38 and the City of Salem Outdoor Dining Policy, the City Council hereby authorizes the City Solicitor to prepare a license agreement to allow the businesses set forth below to occupy city property for outdoor dining. Such approval is subject to any limitations or conditions required of the Disability Commission, Redevelopment Authority, Design Review Board and Licensing Board.

BUSINESS	ADDRESS	LICENSED SPACE
MERCY TAVERN	142 -48 DERBY STREET	490 sf of public sidewalk
KOTO	90 WASHINGTON STREET	2 Parking spaces
BAMBOLINA	288 DERBY STREET	380 sf of public street
ADRIATIC	155 WASHINGTON STREET	2 parking spaces
ALL SOULS	278-282 DERBY STREET	2 parking spaces
OLD MAIN ST	121 ESSEX STREET	330 sf of public street

Action Contemplated

Councillor Jerzylo/Watson-Felt

Moved Adoption

Voted

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PETITIONS

Request from Salem Main Streets for permission to close Front Street as well as Essex Street from New Liberty Street to Hawthorne Boulevard to vehicular traffic during the Salem Arts Festival on Saturday, June 8 and Sunday, June 9 from 8:00 a.m. to 7:00 p.m. We also ask to close Houdini Way between Front Street and the Klop Alley parking lot for safety and programming purposes. Businesses and residents will be notified. If approved Salem Main Streets we will again work with the Police and Fire departments to implement any security measures that they recommend. We will be sure to secure the appropriate approvals from Licensing for the festival weekend.

Action Contemplated

Councillor Watson-Felt

Moved Granted

Voted

The Following License Applications:

PUBLIC GUIDES: Grace Harrington, 26 New Derby St # 408, Salem, Ma 01970
Justin Foltyniak, 94 Federal St Apt 1, Salem, Ma 01970
Martin Mc Entee, 71 Virginia Road, Quincy, Ma 02169
Jessica Lieb, 36 Pearl Street, Middleborough, Ma 02346
John Rodas, 19 Esquire Drive, Peabody, Ma 01960
Theresa Giard, 32 Lynde St Apt 2, Salem, Ma 01970
Kelly Jaser, 31 Roslyn St Apt 2, Salem Ma 01970
Jeffery Horton, 10 Summer St Apt 22, Salem, Ma 01970
Kenneth Flover, 20 Essex Street, Beverly, Ma 01915
Geoffrey Van Wyck, 22 Mechanic St., Marblehead Ma 01945
Eden Tomaszewski, 394 Essex St Apt 3, Salem Ma 01970
Aaron Ross, 394 Essex St Apt 3, Salem Ma 01970

TAXI OPERATORS: Jose Torres, 248 Washington St Salem
Cristian Rafael Toribio, 20 Dow St Salem Ma
Juan Euripides Pimentel Lugo, 34 Prince St #5 Salem Ma
Robinson Vago-Gutierrez ,19 Ward St Salem Ma
Reynaldo Martinez, 34 Hollingsworth St Lynn, Ma
Jesus Rosario, 18 Walnut St Lynn, Ma
Juan A Pimentel, 51 Salem St Salem, Ma
Franklin Pimentel, 9 Meadow St #1 Salem, Ma
Ramon Rodriguez, 57 Harbor St Salem, Ma
Radames Toribio, 38 Prince St Apt 2 Salem, Ma
Domingo Moronta Abreu, 5 Albion St Apt 3 Salem, Ma
Jose Andre Lopez, 16 Mason St Apt 1 Salem, Ma
Johnny A Ynoa, 12 First St Apt 1207 Salem, Ma

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PETITIONS

TAXI OPERATORS: Glennys M Garcia De Fabian, 22 Pulaski St. Peabody, Ma
CONTINUED Alberto Guerrero, 205 Bridge St Apt 109 Salem, Ma
Pedro Pimentel Feliz, 17 Hancock St Apt 3 Salem, Ma
Nelson Figuereo Cuevas, 63 Collins St Apt 2 Lynn, Ma
Edwin Toribio Santos, 38 Prince St Apt 2 Salem, Ma
Delson Figuereo Curevas, 75 Vine St Bldg 7, Saugus, Ma
Victor Rodriguez, 59 Harbor St Apt3-1, Salem, Ma
Genarina Corsino Veras, 21 Mt. Vernon St., Saugus, Ma

VEHICLE FOR HIRE: Tammy Harrington, 48 Federal St., Salem, Ma
OPERATORS ONLY Leo Smith, 99 Sagamore St., Revere, Ma
Michael John Buba, 23 Carson Ter., Swampscott, Ma

Action Contemplated

Councillor Morsillo	Moved Granted	Voted
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The Following License Application:

TAXI OPERATOR: Camilo Divanne, 5 Hancock St., Peabody, Ma

Action Contemplated

Councillor Morsillo	Moved Denied	Voted
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The Following Claims:

Keith Hartan, 37 Stone St., #3, Beverly
Brian & Cheryl Gideon 22 Bay View Circle, Salem

Action Contemplated

Councillor Morsillo	Moved referred Comm. on Ord., Lic. & Legal Affairs	Voted
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PETITIONS

The Following Drainlayer/Contractor Operator License Applications:

B.P. Sullivan, 105 Rangeway Road, Billerica
J. Masterson Construction, 46 Prince St., Danvers

Action Contemplated

Councillor Morsillo

Moved Granted

Voted

The following Bonds:

DRAINLAYER:

B.P. Sullivan, 105 Rangeway Road, Billerica

Action Contemplated

Councillor Morsillo

Moved referred Comm. on
Ord., Lic. & Legal Affairs &
Returned Approved

Voted

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UNFINISHED BUSINESS
NONE

On the motion of Councillor Prosniewski the meeting adjourned at

P.M.